



09-28-05

RCEP ZFW

<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b> Address to: MAIL STOP RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	<b>Application Number</b>	<b>09/712,438</b>
	<b>Filing Date</b>	<b>11/14/2000</b>
	<b>First Named Inventor</b>	<b>Philip G. Foell</b>
	<b>Art Unit</b>	<b>3623</b>
	<b>Examiner</b>	<b>Michael C. Heck</b>
	<b>Attorney Docket No.</b>	<b>A0778-US-NP / XERZ 2 00397</b>

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

**1. Submission required under 37 CFR 1.114**

- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief filed on
- ii. ☐ Other.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement, PTO-Form 1449 and references
- iv. ☐ Other \_\_\_\_\_

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Applicant(s) hereby petition the Commissioner under 37 C.F.R. § 1.136(a) and request a **two-month extension of time** to respond to the outstanding Office Action.
- c. ☐ Other \_\_\_\_\_

09/29/2005 BABRAHA1 00000088 240037 09712438

01 FC:1801 790.00 DA  
02 FC:1202 650.00 DA

3. Fees (The RCE fee under 37 CFR 1.114(e) is required by 37 CFR 1.114 when the RCE is filed.)				
CLAIMS AS FILED, LESS ANY CLAIMS CANCELED BY ABOVE-INDICATED AMENDMENT(S)				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c))	35 - 13 =	13	x \$50	= \$650.00
INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3 =	0	x \$200	= \$0.00
MULTIPLE DEPENDENT CLAIMS (IF APPLICABLE) (37 CFR 1.16(d))		ANY -- 0	x \$360	= \$0.00
APPLICATION SIZE FEE (FOR APPLICATION THAT EXCEEDS 100 SHEETS, FEE FOR EACH GROUP OF 50 ADDITIONAL SHEETS)	0 GROUP(S)		x \$250	= \$0.00
BASIC RCE FEE (37 CFR 1.16(a))				\$790.00
TOTAL LARGE ENTITY FEE =				\$1,440.00
Payment for the filing of this Request for Continued Examination, any appropriate extension of time fees (and if applicable, the search and examination fees) are authorized to be charged to Deposit Account No. 24-0037 <b>Please charge any additional fees or credit any overpayment to Deposit Account No. 24-0037.</b>				

Respectfully submitted,

FAY, SHARPE, FAGAN,  
MINNICH & McKEE, LLP

9/27/2005  
Date

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#### CERTIFICATE OF MAILING

I certify that this Request for Continued Examination (RCE) Transmittal and accompanying documents are being

☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☒ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: MAIL STOP RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature
EV 702962840 US	<i>Christie L. Cermak</i>
Date	Printed Name
September 27, 2005	Christie L. Cermak